

B) REMARKS:

1. Introduction

Claims 1-15 and are currently pending in this application. Claims 1 and 8 are independent. Certain amendments to claims 1 and 8 have been entered herein in response to the Examiner's rejections, as detailed hereinafter. Other amendments to the claims have also been made to clarify the scope of that which the Applicants regard as their invention, and are not meant to unduly restrict the scope of those recitations that existed prior to such amendments or limit the applicability of any equivalents thereto.

No new subject matter has been added to this application by these amendments.

2. Rejection of Claims under 35 U.S.C. §102(e)

In paragraphs 1-3 of the Office Action, the Examiner has rejected original claims 1, 3 and 6 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,535,493 to Lee et al. (hereinafter 'Lee').

This rejection has been overcome by the following amendments entered to the Applicant's independent claims 1 herein:

(a) "when the source address matches a network address allocated to a subscriber of services provided by a service network, forwarding the packet to a router in the service network based only on the source address."

Support for these recitations can be found, inter alia, in the Applicant's Specification at:

(a) p. 6, line 163 - p. 7, line 198.

The Applicants have been mindful of the provisions of MPEP §608.01(o) in making these amendments.

Lee is not relevant to routing of packets in a high-speed access network infrastructure that provide subscribers with access to a plurality of service networks or Internet Service Providers, as recited in the Applicants' claims. Instead, Lee is concerned throughout with allowing mobile units to transmit and receive data from home and foreign networks (See, the Abstract of Lee). In the terms of the Applicants' disclosure, this is analogous to allowing a network access device to

access an Internet Service Provider through separate high-speed access network infrastructures, which is distinguishable from the system described in Applicants' claims.

Lee is further devoid of any teaching or suggestion of forwarding the packet from a high-speed access network infrastructure to a router in a service network based only on the source address. Instead, Lee specifically teaches away from using such source address-based policy routing. See, e.g. Col. 6, lines 9-14 of Lee. Lee instead teaches using conventional, destination-based routing throughout. See, e.g., Col. 6, lines 22-25; and Col. 12, lines 56-54 of Lee. The use of source address-based policy routing as claimed by the Applicants forgoes the need for service networks to advertise their address ranges to each other. See, Applicants' Specification at p. 6, lines 163-179.

For these reasons, reconsideration and withdrawal of the rejections of claim 1 are respectfully requested. Reconsideration and withdrawal of the rejections of remaining dependent claims 3 and 6 are likewise respectfully requested based on their ultimate dependency on independent claim 1.

3. Rejection of Claims under 35 U.S.C. §103(a)

In paragraphs 4-14 of the Office Action, the Examiner has rejected original claims 2, 4-5 and 7-15 under 35 U.S.C. §103(a) as unpatentable over Lee in view of U.S. Patent No. 6,608,832 to Forslow. (hereinafter 'Forslow').

This rejection has been overcome by the following amendments entered to the Applicant's independent claims 8 herein:

(b) "routing packets based on their destination address at the routers in the high-speed access network infrastructure except at one or more managed access point routers having connections to routers in the plurality of service networks;" and

(c) "routing packets at the managed access point routers based only on their source address so that packets having source addresses allocated to subscribers of services provided by a service network will be forwarded to a router in the service network."

Support for these recitations can be found, inter alia, in the Applicant's Specification at:

(b) p. 8, line 240 - p. 9, line 268; and

(c) p. 6, line 163 - p. 7, line 198.

The Applicants have been mindful of the provisions of MPEP §608.01(o) in making these amendments.

Lee fails to teach or suggest these recitations for the reasons stated in the preceding section and renewed herein. Forslow is not pertinent to using the source address for routing packets between subscribers and service networks over a high-speed access network infrastructure. Forslow, instead, is concerned specifically with allowing a mobile unit to request a particular quality of service for network communication (see the Abstract of Forslow). Forslow is, in fact, completely devoid of any mention of using source address-based policy routing, as recited in Applicants' amended claims. Using source address-based policy routing forgoes the need for service providers to advertise their service address ranges to other service providers in the high-speed access network infrastructure (See, Applicants' Specification at p. 6, lines 163-179).

Therefore, Lee and Forslow, alone or in combination, fail to teach or suggest the recitations of (b) and (c) above. Likewise, the prior art of record fails to teach or suggest source address-based policy routing at managed access points of a high-speed access network infrastructure that provides access to a plurality of service networks. Accordingly, reconsideration and withdrawal of this rejection of claim 8 are respectfully requested. Reconsideration and withdrawal of the rejections of dependent claims 9-15 are likewise respectfully requested based on their ultimate dependency on independent claim 8.

Reconsideration and withdrawal of the rejections of remaining dependent claims 2, 4-5 and 7 are likewise respectfully requested based on their ultimate dependency on independent claim 1, which recites using source addressed-based policy routing at managed access points in a high-speed access network infrastructure.

4. Conclusion

This amendment is responsive to each issue raised in the Office Action dated July 15, 2004. All objections and rejections of pending claims 1-15 have been overcome above. The


Applicant therefore respectfully requests allowance of each of the pending claims as amended herein, and issuance of the present application.

Please note that an APPOINTMENT OF NEW ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS has been filed with this Response. Please recognize the representation of, inter alia, the undersigned attorney and direct all correspondence to Mr. S.H. Dworetsky, AT&T Corp., Room 2A-207, One AT&T Way, Bedminster, NJ 07921 as stated therein. The Examiner is invited to contact the undersigned attorney by telephone if it will advance the prosecution of this application.

Please enter and consider the references cited in the enclosed Information Disclosure Statement.

In the event that a further extension of time is required in addition to that requested previously herein, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time, or credit any overpayment, to the below-signed practitioner's deposit account number: 502396.

Respectfully submitted,

By: 

Charles A. Rattner
Registration No. 40,136
12 Homewood Lane
Darien, CT 06820-6109
(203) 662-9858
(203) 547-6129 (facsimile)
crattner@axiomlegal.net

Dated: January 18, 2005